



Plaintiff John Nicholas (“Derivative Plaintiff”) and Defendant Tellabs, Inc. (“Tellabs”) and certain officers and directors of Tellabs (the “Individual Defendants” and, together with Tellabs, the “Defendants”), jointly move this Court to temporarily defer prosecution of this derivative action, until an order is issued ruling on the Defendants’ motion to dismiss the related consolidated securities class action now pending in this Court. The parties stipulate as follows:

WHEREAS, on March 19, 2013, Derivative Plaintiff initiated this shareholder derivative action allegedly on behalf of nominal defendant Tellabs and against the Individual Defendants;

WHEREAS, this action involves some of the same parties and factual allegations as the related putative class actions that were filed in this Court and consolidated under the caption *Mahmood Alizadeh vs. Tellabs, Inc., et al.*, Case No. 13-cv-00537 (the “Securities Class Action”);

WHEREAS, an amended complaint was filed on June 3, 2013 in the Securities Class Action and defendants to the Securities Class Action intend to file a motion to dismiss the amended complaint;

WHEREAS, Defendants filed an Agreed Motion to Extend Time to File Motion to Dismiss on June 4, 2013, requesting an extension of time until June 17, 2013 for the Defendants to file an anticipated motion to dismiss under Federal Rules of Civil Procedure 12(b)(6) and 23.1; and

WHEREAS, based upon the circumstances unique to this action, including because the outcome of a motion to dismiss in the Securities Class Action may affect the scope of this action and cause Derivative Plaintiff to file an amended complaint, and so as to avoid the unnecessary expenditure of resources by the parties and the Court regarding a motion addressed to a complaint that may be amended, the parties to this action have agreed, subject to this Court’s approval, to temporarily defer prosecution of this case, including motion practice (including any motion to dismiss under Federal Rules of Civil Procedure 12(b)(6) and 23.1), until such time as this Court has issued an order ruling on the Defendants’ motion to dismiss the Securities Class Action.

NOW THEREFORE, the undersigned parties, by and through their counsel of record, hereby stipulate as follows:

1. All proceedings, including motion practice, in *John Nicholas vs. Michael J. Birck, et al.*, Case No. 13-cv-2116, are hereby deferred until the earlier of (a) the date the Court rules on the anticipated motion to dismiss the current amended complaint in the Securities Class Action, or (b) if defendants to the Securities Class Action elect to answer the current amended complaint rather than file a motion to dismiss, the date of filing of such answer.

2. Within ten (10) business days after proceedings in this action recommence under ¶1 above, counsel for the Derivative Plaintiff shall inform Defendants whether they intend to file an amended complaint or stand on the existing complaint. Within five (5) business days thereafter, the parties shall meet and confer regarding scheduling and attempt to agree upon a proposed schedule for the filing of any amended complaint, if Derivative Plaintiff has elected to amend, as well as the timing on the filing of any motion(s) to dismiss or other responses to the amended or designated complaint. Within five (5) business days of the meet and confer, the parties shall file a joint request for a status conference with the Court, and submit either an agreed schedule or their respective proposed schedules if no agreement has been reached.

**IT IS SO STIPULATED.**

Accordingly, the parties respectfully request the Court enter an Order granting this Joint Stipulation and Motion to Temporarily Defer Prosecution of this Case.

DATED: June 7, 2013

JOHN NICHOLAS, Derivatively on behalf of  
TELLABS, INC.

*/s Frank J. Johnson*

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*/s/ Melanie E. Walker*

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**CERTIFICATE OF SERVICE**

I, Frank J. Johnson, one of attorneys for Plaintiff, hereby certify that on June 7, 2013, service of the foregoing pleading was accomplished pursuant to ECF as to Filing Users and in compliance with LR 5.5 as to any party who is not a Filing User or represented by a Filing User.

*/s Frank J. Johnson*

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Frank J. Johnson